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SUBJECT: COMMUNITY ACTIVIST MURDERED: POLITICS OR RANDOM CRIME?

¶1. Summary: Community activist Gustavo Marcelo Rivera Moreno disappeared on June 18; police discovered his body in a well June 30. The initial police investigation has led to the arrest of seven purported gang members. The police have made public statements that Rivera was likely murdered as a result of an argument that arose while the group was drinking in an abandoned building. Family, friends, and various civil society groups have denounced the investigation claiming that the body showed signs of torture and that Rivera was killed as a result of his political activities. The Embassy has reached out to the Attorney General's Office, the National Civilian Police, and the Ombudsman for Human Rights to urge the GOES to conduct a full investigation and to bring the perpetrators to justice. Journalists reporting on the Rivera murder have alleged receiving death threats relating to the case. End Summary.

WHAT WE KNOW

¶2. Gustavo Marcelo Rivera Moreno was the director of Casa de Cultura, a cultural center located in San Isidro, and was a member of the Friends of San Isidro Association, an anti-mining organization affiliated with the National Working Group Against Mining in El Salvador. Rivera actively campaigned against the Pacific Rim Mining Company claiming that it would damage El Salvador's watershed.

¶3. Rivera was also an FMLN activist who served as an FMLN representative during the January 18 election and publicly denounced San Isidro mayor Ignacio Bautista for allegedly busing in Honduran citizens and paying them to vote in the legislative and municipal elections January 18. As a result of numerous allegations of election irregularities in San Isidro, the January 18 voting was shut down and rescheduled for a week later; Bautista still won the mayoral race.

¶4. Rivera was last seen on the afternoon of June 18 in Illobasco and his family and friends began searching for him early June 20. A visiting delegation from the SHARE Foundation discussed Rivera's disappearance with Charge on June 23. A body was recovered from a well June 30; on July 8 DNA analysis confirmed the body was Rivera's.

¶5. The National Civilian Police (PNC) arrested six individuals - Wilber Antonio Baires Amaya, Delfino Gerberth Lara Arteaga, Jose Darwin Herrera Ayala (a minor), Edin Eliseo Herrera Valladares, Jose Manuel Lara Nunez, and Santos Vladimir Aviles - in connection with the case on July 7; a fifth suspect, Jose Luis Herrera, was charged while in jail for an unrelated crime. According to media reports, the police believe that Rivera was drinking with the five suspects, all alleged gang members, in an abandoned house the evening of June 18. According to the PNC's theory, in the early morning hours of June 19, a dispute turned violent and Rivera was killed.

THE FAMILY

¶ 16. Family members of Rivera believe that his murder was politically motivated, and filed a report with the Ombudsman for Human Rights on June 21 alleging that the PNC and Office of the Attorney General (AG) were not properly investigating Rivera's disappearance. The family claims that Rivera received numerous threats after the January election and that someone tried to run him over with a car.

¶ 17. After the corpse was discovered, Rivera's brother told the media that the body showed signs of torture and that Rivera had been kept alive and tortured for nine days before he was killed. (Note: His interpretation of events, like that of the PNC, is loosely based on the medical examiner's report, but is not supported by it. End note.)

POSSIBLE THREATS AGAINST THE MEDIA

¶ 18. On July 27, media reported that three reporters from the Radio Victoria radio station in Cabanas had received death threats by phone for their coverage of the Rivera murder. Ombudsman for Human Rights Oscar Luna is investigating the threats and has called for police protection of the reporters.

COMMENT

¶ 19. Charge and Embassy staff have urged the GOES to conduct a thorough investigation; the PNC Chief and Attorney General have promised to do just that, and take the case wherever the evidence leads. We do not rule out a political motive, but would find it hard to believe that there was a national-level conspiracy to eliminate Rivera because of his opposition to mining. President Saca decided to deny permission to Pacific Rim for mining in San Isidro before the end of his term. Saca did not want to incur the wrath of the Church, which is strongly anti-mining. The FMLN is anti-mining. When you consider that the acting Attorney General was appointed by Saca, and the current PNC Chief by the FMLN; the idea that they would be colluding in a cover-up is similarly hard to believe. Our next step will be to have Embassy law enforcement review the evidence with their GOES counterparts.

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